

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14407 of 2015

Arising Out of PS.Case No. -1169 Year- 2012 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Avinash Kumar Son of Late Gopaljee Rai
 2. Mohan Rai Son of Baso Rai
 3. Arun Kumar Rai Son of Late Laxmi Rai
 4. Raj Bardhan Rai @ Rajo Rai Son of Anirudh Rai
 5. Ranjeet Rai Son of Mohan Rai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arun Ram Son of late Baleshwar Ram R/o Narhan State, P.S. Bibhutipur,
District Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner s : Mr. Raghwanand, Adv.
For the Opposite Party : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 452, 341, 323, 504, 348, 379/34 and 307 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the accused persons entered into the house of the informant and asked about the sister of one of the accused who is traceless and thereafter abused the informant by calling caste name, assaulted and snatched Rs.5,000/-.

It is submitted by learned counsel for the petitioners that

on conclusion of the investigation, the accusation against the petitioner was found false and final form was submitted but on protest petition, cognizance has been taken. Sister of petitioner no.1 was kidnapped by the informant of the present case for which at earlier point of time, petitioner no.1 filed Bibhutipur P.S. Case No. 157 of 2011 under Sections 363 and 366 of the IPC against the informant's side and as a retaliatory measure, the present case has been lodged. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation not found true against the petitioners and the case lodged by petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera in connection with C.R. No. 1169 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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